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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
DANIEL ARUSHANOV,  
  
Defendant.

CASE NO. 2:20-MJ-00047-AC

STIPULATION AND ORDER TO EXTEND TIME  
FOR PRELIMINARY HEARING PURSUANT TO  
RULE 5.1(d) AND EXCLUSION OF TIME

DATE: April 15, 2020  
TIME: 2:00 p.m.  
COURT: Hon. Kendall J. Newman

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney Shea J. Kenny, and defendant Daniel Arushanov, both individually and by and through his counsel of record, Megan Hopkins, hereby stipulate as follows:

1. The Complaint in this case was filed on March 2, 2020, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on March 18, 2020 following his release from custody on state charges. The Court set a preliminary hearing date of March 25, 2020.

2. On March 16, 2020, the Court continued the preliminary hearing to April 15, 2020, and excluded time through that date. Dkt. 8.

3. On March 18, 2020, Megan Hopkins became attorney of record for the defendant.

4. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to May 15, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of

1 the Federal Rules of Criminal Procedure. The parties stipulate that the ends of justice are served by the  
2 Court excluding such time, so that counsel for the defendant may have reasonable time necessary for  
3 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).  
4 Specifically, since the previous order continuing the status conference, the government has provided or  
5 made available to defense counsel pre-indictment discovery in the form of approximately 125 pages of  
6 documents including law enforcement investigation reports and documents related to the defendant's  
7 criminal history, as well as audio and video files. The parties are engaged in negotiating a pre-  
8 indictment resolution, and the government intends to provide a proposed plea agreement to defense  
9 counsel shortly. Defense counsel requires additional time to review discovery, conduct legal research,  
10 and consult with the defendant regarding case strategy and potential resolution. Also, some additional  
11 time is appropriate for attorney-client consultation in this case because the defendant is detained. The  
12 parties therefore stipulate that the delay is required to allow the defense reasonable time for preparation,  
13 and for the government's continuing investigation of the case.

14 5. The parties further stipulate and agree that the interests of justice served by granting this  
15 continuance outweigh the best interests of the public and the defendant in a speedy return of an  
16 indictment and speedy trial. 18 U.S.C. § 3161(h)(7)(A); 18 U.S.C. § 3161(b).

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6. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between April 15, 2020, and May 15, 2020, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: March 19, 2020

McGREGOR W. SCOTT  
United States Attorney

/s/ SHEA J. KENNY  
SHEA J. KENNY  
Assistant United States Attorney

Dated: March 19, 2020

/s/ MEGAN HOPKINS  
MEGAN HOPKINS  
Counsel for Defendant  
Daniel Arushanov

**FINDINGS AND ORDER**

IT IS SO FOUND AND ORDERED.

Dated: March 19, 2020

  
DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE